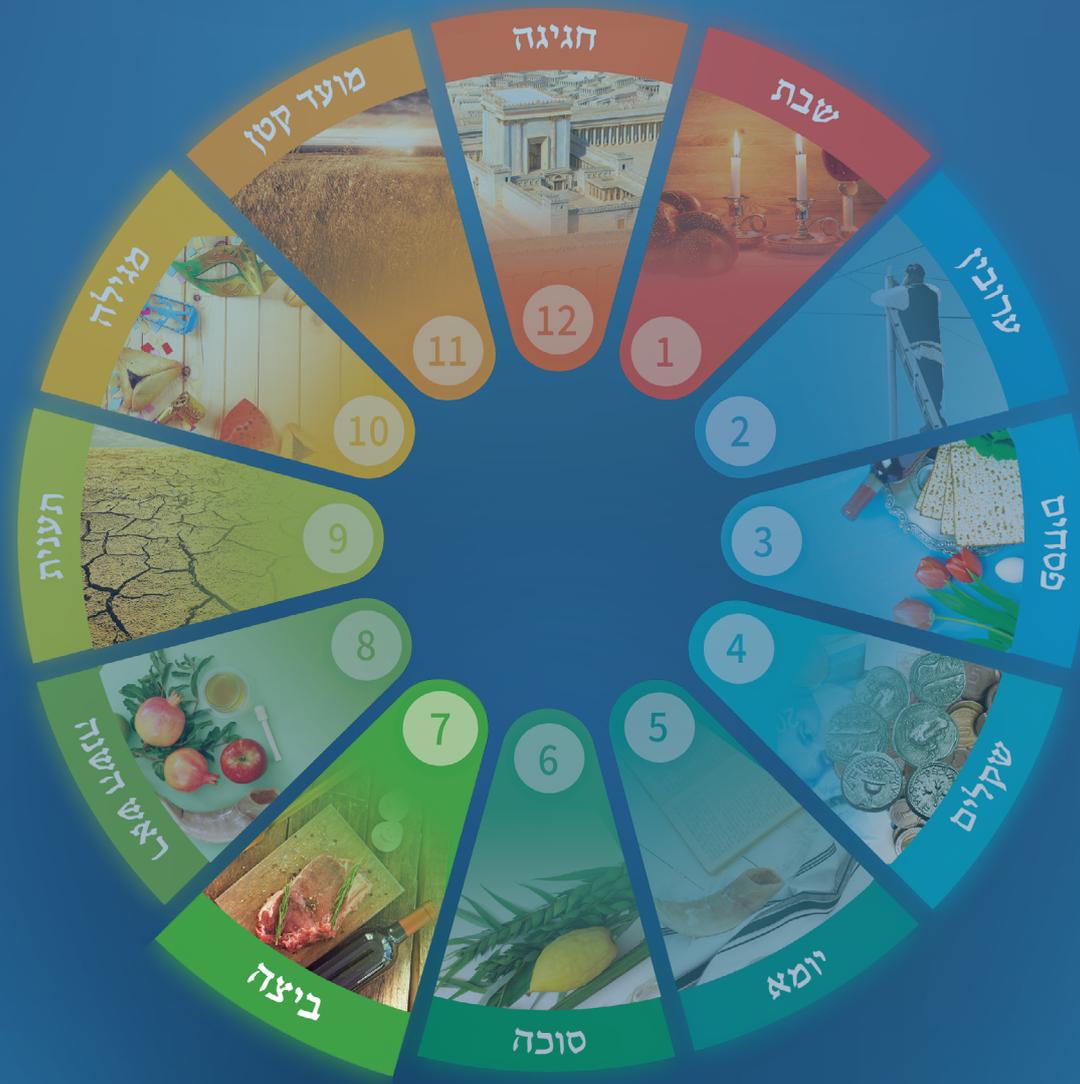


TIME 4 MISHNA



SUMMARIES

ביצה

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overview

ביצה

1. Arguments of בית שמאי and בית הלל about יום טוב (1-2)

- ✓ Where בית הלל is stricter
 - Egg laid on יום טוב - פסח on חמץ
 - כיסוי הדם
- ✓ Where בית שמאי is stricter
 - Leniencies for יום טוב שמחת
 - Limitations of אוכל נפש - תיקון מנא
- ✓ בית שמאי following רבן גמליאל
 - Insulating - Constructing objects
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2. Maintaining the spirit of יום טוב (3)

- ✓ Business-like activities
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- ✓ Preparing for after יום טוב

3. Laws of מוקצה (4, 5.1, 5.7)

- ✓ Different types of מוקצה
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 - Firewood - Designated for building
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4. The תחום שבת of items (5.3-5.7)

- ✓ Following the תחום of the common user
- ✓ Being bound by multiple people's תחום
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key terms

ביצה

Rules:

- דבר שאסרו חכמים מפני מראית העין, אפילו בחדרי חדרים אסור** - Anything which the חכמים forbade because of what it looks like is forbidden even in private
- התירו סופן משום תחילתן** - The חכמים permitted the end act so that the act at the beginning would be performed
- מתוך שהותרה לצורך, הותרה נמי שלא לצורך** - A form of work which is permitted on טוב יום for אוכל נפש (food preparation) is permitted for any purpose
- הואיל ומיקלעי ליה אורחים חזי ליה** - The rule that one may cook as much as he wishes to on טוב יום since there is a possibility that guests will come before the end of טוב יום and he will serve it to them
- מיגו דאתקצאי בין השמשות, אתקצאי לכולי יומא** - If something is מוקצה when טוב יום or שבת begins, it remains מוקצה for the rest of the day.
- תכף לסמיכה שחיטה** - סמיכה must be performed immediately before slaughtering
- ספיקא דרבנן לקולא** - A Rabbinic law is ruled leniently in cases of doubt

Concepts and terms:

מוקצה:

- **מוקצה** - The prohibition מדרבנן to move something which isn't set aside for use on טוב יום or שבת
 - **טלטול שלא לצורך** - Moving something for no purpose
 - **כלי שמלאכתו לאיסור** - Utensil designated for a forbidden use
 - **לצורך גופו** - For a permitted use for his own sake
 - **לצורך מקומו** - To use the space that it's occupying
 - **מוקצה מחמת חסרון כיס** - Something which is valuable and the owner is particular about using it only for its primary, forbidden use
 - **מוקצה מחמת איסור** - Set aside from use on שבת due to the need to transgress a sin in order to use it as טוב יום or שבת begins
 - **ביטול כלי מהיכנו** - The prohibition מדרבנן of making something מוקצה on שבת or טוב יום
 - **בסיס לדבר האסור** - Base which is holding something מוקצה
- שיעור** - Minimum amount for which one is חייב

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key terms

ביצה

שאור - Sourdough (dough which has reached a stage in fermentation that it can make other dough rise)

כיסוי הדם - The requirement to cover the blood of a wild animal or bird after slaughtering it

יום טוב שמחת יום טוב - The requirement to rejoice on **יום טוב**

יש בנין וסתירה בכלים - The prohibition of building and demolishing on **שבת** or **יום טוב** includes items which aren't attached to the ground

- **אוכל נפש** - Food preparation
- **מכשירי אוכל נפש** - Acts done in order to be able to prepare food
- **צורך השווה לכל נפש** - Something which most people would have difficulty if this was lacking for the entire **יום טוב**

תרומה - A gift of produce to a **כהן**

חלה - A portion of dough given to a **כהן**

בורר - The category of work of separating undesired parts of a mixture from desired parts

שעטנז - A garment containing both wool and linen which is forbidden to wear

עירוב תבשילין - When one begins his food preparations before **יום טוב**, to be able to cook on **יום טוב** for the next day **שבת**

תיקון מנא - Forming or repairing an item

השקה - Purifying water by lowering it in a container into a **מקוה**

סמיכה - The requirement to lean on a **קרבן** before slaughtering it

זכר למקדש - Commemoration for the **בית המקדש**

דבר שאינו מתכון - Something whose secondary consequence is forbidden to do but isn't intended

טמא מדרס - When a person with a high level of **טומאה** supports himself on something and it becomes **טמא** to the same degree as the person

הקדש - Something designated to the **בית המקדש**

עיבור העיר - Just over 70 **אמות** extension of a city

שבות - A prohibition **מדרבנן** on **שבת**

קידושין - Acquiring a wife

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key terms

ביצה

- **יבום** - When one's brother dies without children and there is a מצוה upon him to marry the widow
- **חליצה** - A process in בית דין to permit the widow to marry somebody else instead

תחום שבת - Maximum distance that can be travelled on שבת or יום טוב

מעילה - The prohibition of benefitting from בית המקדש property, for which one must offer a קרבן and pay back an extra quarter of its value

הפקר - Ownerless

עירובי תחומין - A mechanism which can allow one to travel up to 4000 אמות in one particular direction

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summaries

ביצה

- Arguments between בית שמאי and בית הלל concerning יום טוב:

Arguments where בית הלל is stricter than בית שמאי:

- 1) בית הלל: If an egg is laid on יום טוב which falls on Sunday, it's forbidden to eat it since it became fully developed on שבת and יום טוב food must be prepared on a weekday.
→ מדרבנן this applies to every יום טוב, so that one doesn't come to eat it on a יום טוב which falls on Sunday.

בית שמאי: It's permitted.

- 2) בית שמאי: The 'שיעור' – minimum amount for which one is חייב – for owning 'שאור' – sourdough (dough which has reached a stage in fermentation that it can make other dough rise) – is a כזית (the size of an olive); for regular חמץ it is a ככותבת (the size of a date). This is indicated by the תורה talking of their prohibitions separately.

בית הלל: The שיעור for both of them is a כזית.

- 3) בית שמאי: If one places a spade in the ground to loosen the earth before יום טוב, such that lifting the earth out of the ground won't be a violation מדרבנן of crushing, then it's permitted to slaughter an animal on יום טוב and to lift the earth up to perform 'כיסוי הדם' – the requirement to cover the blood of a wild animal or bird after slaughtering it – since 'מוקצה' – the prohibition מדרבנן to move something which isn't set aside for use on שבת or יום טוב – is permitted for the sake of 'שמחת יום טוב' – the requirement to rejoice on יום טוב.

בית הלל: This is forbidden, but if one does slaughter the animal then he may cover it with this earth.

→ If one has ashes which have been in his oven since the start of יום טוב, he may slaughter the animal and cover its blood with this.

Arguments where בית שמאי is stricter than בית הלל:

- בית שמאי: One may not move a ladder from one dovecot to another on יום טוב, since it appears like he's fixing his roof; he may move it to a different window in that dovecot.
- בית הלל: One may move a small ladder in private for the sake of שמחת יום טוב, even though 'דבר שאסרו חכמים מפני מראית העין, אפילו בחדרי חדרים אסור' – anything which the חכמים forbade because of what it looks like is forbidden even in private.

- בית שמאי: To make the first pair of doves which are born from their mother non-מוקצה, one must lift them up before יום טוב in case when doing so on יום טוב he decides not to slaughter them, in which case his taking them would be 'לטול שלא' – moving something for no purpose, which is forbidden on שבת and יום טוב.

בית הלל: He only needs to have the intention to take those specific doves.

→ If he designated black doves in one part of the dovecot and white ones in another part, and the next day he finds that they swapped locations, they are מוקצה since they are assumed to be other doves.

→ If he designated 3 doves and he finds 2, they are assumed to be the same doves so aren't מוקצה.

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→ If he **designated doves inside the dovecot and he finds them in front of it** at the top, they are **assumed to be other doves** unless (a) they can't fly and (b) there are no other dovecots within 50 אמות.

- בית שמאי**: One **may not take off** the **door of a cupboard** to use it as a table to sell one's wares, since it looks like building as **'יש בנין וסתירה בכלים'** – the prohibition of building and demolishing on **שבת** or **יום טוב** includes items which aren't attached to the ground.

בית הלל: It's **permitted even to put it back** afterwards, since **'התירו סופן משום תחילתן'** – the **חכמים** permitted the end act (putting it back) so that the act at the beginning (taking it off) would be performed.
- בית שמאי**: It's **forbidden to move** a **'כלי שמלאכתו לאיסור'** – utensil designated for a forbidden use, e.g. a heavy wooden board used in a grinding machine – for any purpose.

בית הלל: It's **permitted to move it** **'לצורך גופו'** – for a permitted use for his own sake, e.g. to cut meat on it, or **'לצורך מקומו'** – to use the space that it's occupying.
- בית שמאי**: One **may not place an animal hide where people will trample on it**, since it appears as if he is going to tan it, and it's even **forbidden to move it** because it's **מוקצה**, unless at least a **כזית** of meat is attached to it.

בית הלל: It's **permitted**, so that people would slaughter animals on **יום טוב**.
- בית שמאי**: It's **forbidden to carry non-food items** in a public domain.

בית הלל: It's **permitted**, since **'מתוך שהותרה לצורך, הותרה נמי שלא לצורך'** – a form of work which is permitted on **יום טוב** for **'אוכל נפש'** (food preparation) is permitted for any purpose.
- בית הלל**: One **may not give** **'תרומה'** – a **gift of produce** to a **כהן** – on **יום טוב**, since it might appear that he separated it on **יום טוב** and this is forbidden **מדרבנן** since making something permitted is considered like fixing it.

בית שמאי: One **may not even give** **'חלה'** – a **portion of dough** given to a **כהן**, or **parts of an animal which is slaughtered** which must be given to a **כהן**, even though these can be separated on **יום טוב** if their obligation began on **יום טוב**.
- בית שמאי**: Although one **may not use any sort of crusher** to crush **salt**, since it could have been done before **יום טוב** without any difference in quality, one may use a **wooden crusher** to crush **spices**, as they would lose their pungency if done earlier.

בית הלל: One may use a **wooden crusher** for **salt** and even a **regular stone crusher** for **spices**.
- בית שמאי**: **'בורר'** – the category of work of **separating undesired parts of a mixture** from desired parts – is **forbidden**, since it's not considered direct preparation for food.

בית הלל: It's **permitted**, but one may not use sieves, since these are usually used to prepare a lot of food and he appears to be preparing for the weekday.

רבן גמליאל: It's **even permitted to soak beans** in water for the dirt to float to the top.
- בית שמאי**: One may only **send a gift of food** which is **ready to eat**.

בית הלל: One may even send him a live animal or flour which **the recipient can prepare and eat on יום טוב**.

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ר' שמעון: He may even send him something which **he's unlikely to eat on טוב יום**, e.g. wheat which he could crush and eat by itself.

→ One **may send** his friend **clothes** or **shoes** which are ready to wear, and even a **cushion** which is 'שעטנז' - a garment containing both wool and linen which is forbidden to wear - since one may sit on it.

- **ר' יהודה**: One **may not send shoes which haven't been blackened**, since the Jewish custom was not to wear white shoes.

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- Even though מדאורייתא one may cook on יום טוב for the sake of the next day because of 'הואיל ומיקלעי ליה אורחים חזי ליה' – the rule that one may cook as much as he wishes to on יום טוב since there is a possibility that guests will come before the end of יום טוב and he will serve it to them, מדרבנן one may only do so if יום טוב falls on a Friday and he makes an 'עירוב תבשילין' – when one begins his food preparations before יום טוב.
 - בית שמאי: He must prepare 2 cooked dishes before יום טוב, even 2 which are connected, e.g. an egg on top of a fish.
 - בית הלל: He only needs to prepare 1 cooked dish.
 - It all of it gets eaten or lost, he may not rely on it to cook for שבת.
- If יום טוב falls on a Sunday, one may not purify utensils in a מקוה on שבת in order to use them for קרבנות, since this is similar to 'תיקון מנא' – forming or repairing an item.
 - בית שמאי: One may not purify himself on שבת either.
 - One may purify himself when changing to a new group for eating the קרבן פסח, since he's already pure so this isn't similar to fixing.
 - בית הלל: This is permitted, since it isn't apparent that he is washing himself for purity purposes.
 - 'השקה' – purifying water by lowering it in a container into a מקוה – may be done on שבת, as long as the container itself isn't טמא, e.g. it's made of stone.
 - One may purify an already pure utensil for the sake of using it for a more holy purpose, since it's not similar to fixing the item.
- בית שמאי: One may offer a קרבן שלמים which is offered because of the יום טוב, since it's eaten, but 'סמיכה' – the requirement to lean on a קרבן before slaughtering it – is forbidden מדרבנן like all uses of an animal on שבת and יום טוב.
 - בית הלל: One may even offer a קרבן עולה for the יום טוב, as learnt from פסוקים, and סמיכה may be performed since 'תכף לסמיכה שחיטה' – סמיכה must be performed immediately before slaughtering.
- אוכל נפש is only permitted on יום טוב if it's a 'צורך השוה לכל נפש' – something which most people would have difficulty if this was lacking for the entire יום טוב.
 - בית שמאי: One may heat up water for washing one's face, hands and feet only if it's fit for drinking too.
 - בית הלל: One may even make a bonfire for warmth alone, because of 'מתוך...'
- רבן גמליאל ruled stringently like בית שמאי in the following cases:
 1. One may not insulate food for it to stay hot for שבת, unless he insulated food as part of his תבשילין עירוב.
 2. 'יש בנין בכלים' – the prohibition of building on שבת or יום טוב includes items which aren't attached to the ground.
 3. One may not bake a lot of bread on יום טוב, even though the bread's quality is improved, since it's unnecessary effort.

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→ רבן גמליאל ruled leniently in the following cases:

1. One may sweep a small area, e.g. where one eats, since he's unlikely to fill up the holes with earth which would be considered like building.
2. One may place spices on coals for their aroma, even though it's not a צורך השווה לכל נפש.
3. One should roast lamb for the first night of פסח, as a 'זכר למקדש' – commemoration for the בית המקדש, and there isn't a concern that people will think he offered a קרבן פסח outside of the בית המקדש.

→ רבי אלעזר בן עזריה ruled leniently in the following cases:

1. He didn't protest when his neighbour allowed his cow to go out into a public domain on שבת with a strap between its horns as decoration.
2. One may scratch an animal with a metal comb, even though the animal is likely to bleed, since a 'דבר שאינו מתכון' – something whose secondary consequence is forbidden to do but isn't intended – is permitted.
 - ר' יהודה: It's forbidden, so one may only use a wooden comb.
 - חכמים: Even a wooden comb is forbidden מדרבנן.
3. One may crush pepper with a grinder that is used for small amounts.
 - If a pepper grinder is broken, (1) the wooden bottom which holds the ground pepper, (2) the tool with metal at its bottom which is used to crush the pepper, and (3) the sieve can become טמא by themselves, since they are considered useful even in their current state.
 - o A child's wagon: can become 'טמא מדרס' - when a person with a high level of טומאה supports himself on something and it becomes טמא to the same degree as the person – since it's designated for a use which supports the child; is not מוקצה; may not be dragged directly on earth, since it makes holes in the ground.
 - o ר' יהודה: It can be dragged, since it only pushes onto the ground.

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- **Maintaining the appropriate spirit of יום טוב, by not performing activities which are business like or require effort or are not for the sake of יום טוב:**
 - **רבן שמעון בן גמליאל**: It's **forbidden to trap animals** like fish, but land animals **may be trapped** if they are **already stuck within an enclosure**, since they're already trapped.
 - It's **forbidden to feed animals** who would survive without on **יום טוב**, since this is unnecessary effort.
 - **חכמים**: **An animal caught in a trap may not be taken** unless it's known that it was already trapped when **יום טוב** began, since even a **doubtful case of מוקצה is ruled stringently**.
 - רבן גמליאל**: If it's unknown then it's **permitted**, since 'ספיקא דרבנן לקולא' – a Rabbinic law is ruled leniently in cases of doubt.
 - **חכמים**: If one's **animal is in danger of dying**, he may only slaughter it if there is enough time to **roast and eat at least a כזית** of it before the end of **יום טוב**.
 - **ר' עקיבא**: There only needs to be enough time to **eat a כזית of raw meat** where the animal was cut.
 - One who slaughters an animal in the field **shouldn't carry it on poles**, since this is a weekday activity, rather he should carry it in his hands.
 - **חכמים**: If a **firstborn animal** develops a wound before **יום טוב** but isn't examined by an expert to see if it's permanent and thus invalidates it from being offered as a **קרבן**, until it falls into a pit on **יום טוב**, it **may be slaughtered and isn't מוקצה if the expert says that the original wound was permanent** from the start of **יום טוב**.
 - ר' שמעון**: An expert **may not examine the animal** on **יום טוב**, since it's his declaration which changes the status of the animal so it's like judging a court-case.
 - **ר' טרפון** was asked about an ill, 'הקדש' – designated to the **בית המקדש** – **animal which died on יום טוב**, and about **עמא which became חלה**, and the **חכמים** told him that they are **מוקצה** since they currently have no use.
 - A group of people **may buy** an animal from a butcher to split, as long as the **price was set before יום טוב**, so that it's not done in a business-like way.
 - **ר' יהודה**: One **may use scales** without the regular weights.
 - חכמים**: This is **forbidden**.
 - 'מכשירי אוכל נפש' – acts done in order to be able to prepare food – are **forbidden**, e.g. sharpening a knife in a regular way.
 - **חכמים**: One **may ask a shopkeeper to fill up his container** with wine or oil, even if it is a measuring utensil, since he's not asking for an exact measure.
 - ר' יהודה**: One **may not use such a utensil**, since it's business-like.
 - **אבא שאול בן בטנית** would fill up his measuring utensils before **יום טוב**, but this isn't a proof for **ר' יהודה** since according to **אבא שאול** he pre-filled them the night before even on **חול המועד** to ensure precise measuring, and according to the **חכמים** he pre-filled them **all year round**, so that all of the oil would drop into the utensil he would sell.

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- חכמים**: One **may not**: open up a ball of clay to form a **lamp** to hold oil; **make charcoal**; cut a **wick into two**, since it's **מנא** תיקון.
 - ר' יהודה**: One may place the two ends of a wick in two lamps and **set light to the middle of the wick**, such that it will separate out into two, since it doesn't look like **מנא** תיקון.
- One **may not break earthenware or paper** to use it for a constructive purpose like roasting fish on it, since it's **מנא** תיקון.
- One **may not rake** peeled **plaster** from an oven, since it's considered repairing the oven.
 - One **may push down** on the **dirt** or **ashes** on the floor of the oven, since the oven is usable without this.
- It's **forbidden מדרבנן** to support **a pot on two barrels**, since it's like building.
- חכמים**: It's **forbidden מדרבנן** to **lead an animal with a stick**, since it looks like he is taking it a long distance to the market to perform business transactions.
 - ר' אלעזר ברבי שמעון**: This is **permitted**.
- Laws of מוקצה**:
 - One **shouldn't carry barrels or straw in a regular way**, since it's a weekday activity.
 - ר' שמעון**: One **may take straw** from a new pile of straw, but **not wood set aside for building**, since it's 'מוקצה מחמת חסרון כיס' – something which is valuable and the owner is particular about using it only for its primary, forbidden use.
 - If the **wood broke on טוב יום** so would now be designated for use as firewood, it remains **מוקצה**, since 'מיגו דאתקצאי בין השמשות, אתקצאי לכולי יומא' – if something is **מוקצה** when **שבת** or **טוב יום** begins, it **remains מוקצה** for the rest of the day.
 - Wood piled up in a field isn't מוקצה**.
 - ר' יהודה**: Wood in an enclosed area within the 'עיבור העיר' – **just over 70 אמות** extension of a city – isn't **מוקצה**.
 - ר' יוסי**: It only need to be **within 2000 אמות** of the city.
 - One **may not use a professional tool for cutting** wood.
 - If a **closed up room is full of produce** such that **שבת** would need to be violated by demolishing a wall to obtain the produce, and a hole is made in the wall on **טוב יום**, it's **forbidden to take the produce** since it's 'מוקצה מחמת איסור' – set aside from use on **שבת** due to the need to transgress a sin in order to use it as **שבת** or **טוב יום** begins.
 - **חכמים**: If the bricks of the room **haven't been cemented**, it's only **forbidden מוקצה** to take away bricks so the produce **isn't considered מוקצה**.
 - ר' מאיר**: It's even **permitted to take away bricks**.
 - תנא קמא**: One **may not use something designated for a particular permitted use for a different permitted use**, e.g. **supporting a pot or door with wood designated for fire**.
 - ר' אליעזר**: One **may do so**, e.g. **using thin pieces of wood as a toothpick**; such wood isn't considered **מוקצה** even if it's **from his courtyard**.
 - חכמים**: One **may not do so**, and wood in one's courtyard is **מוקצה** even as firewood.

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summaries

ביצה

- It's **forbidden to create a new fire** on **יום טוב**, even with an irregular method.
- It's **forbidden** to **heat up tiles for the first time**, since it makes them strong and fit for use.
- **ר' אליעזר**: In order that fruit which is drying not be **מוקצה**, one should declare before **יום טוב** that he will eat **some of them**.
- **חכמים**: He must specify **exactly which ones** he plans to eat.

TIME 4 MISHNA

summaries

ביצה

- **Fruit which is drying on one's roof** so is מוקצה may be rolled down through his skylight to avoid a large financial loss due to rain; this is forbidden on שבת.
- One may cover מוקצה produce to avoid a financial loss due to a leak.
- One may only place a bowl under a leak to catch the water if the water can be used, since otherwise it's 'ביטול כלי מהיכנו' – the prohibition מדרבנן of making something מוקצה on שבת or יום טוב – as the bowl would become a 'בסיס לדבר האסור' – base which is holding something מוקצה.
- Examples of 'שבות' – a prohibition מדרבנן on שבת – include: **climbing a tree** or **riding an animal**, in case one comes to break a stick off a tree; **swimming**, in case one makes a raft; **clapping** or **dancing**, in case one comes to repair an instrument.
 - Other prohibitions מדרבנן involving מצוות include: **judging** a court-case; performing 'קידושין' – **acquiring a wife**; doing 'יבום' – when one's brother dies without children and there is a מצוה upon him to marry the widow – or 'חליצה' – a process in בית דין to permit the widow to marry somebody else instead; **designating something to the בית המקדש** or **separating tithes**.
- **The 'תחום שבת' – maximum distance that can be travelled on שבת or יום טוב – of items:**
 - The תחום of an item is identical to the תחום of the one who is set to use it when שבת or יום טוב begins.
 - **Possessions which have been inherited by brothers but not yet split** are bound by the תחום of all of the brothers, except for those items which have been used and associated with one brother.
 - If a **woman borrows some of the ingredients for her dough** from her friend on יום טוב, the dough is bound by the תחום of both women.
 - **ר' יהודה**: If she **only borrows water**, the dough is bound only by her תחום since it isn't recognisable.
 - If one lights a candle from somebody else's fire, it isn't bound by that person's תחום since it isn't a tangible substance.
 - If one **benefits from a flame of the בית המקדש** and not from the coals, he **doesn't violate 'מעילה'** – the prohibition of benefitting from בית המקדש property, for which one must offer a קרבן and pay back an extra quarter of its value – since it's only forbidden מדרבנן.
 - One who **carries out a flame without coal into a public domain** on שבת is exempt.
 - The water from **public pits** is bound by the תחום of that city, whereas the water from the **pits and wells on the roads** for those who are travelling towards ירושלים is bound by the תחום of whoever takes the water, since it's 'הפקר' – ownerless – until then.

TIME 4 MISHNA

summaries

ביצה

- If **ראובן** has produce in a **שמעון's city which is outside of his תחום** and **שמעון makes an 'עירוני תחומין'** - a mechanism which can allow one to travel up to 4000 **אמות** in one particular direction - such that he may travel to **ראובן's city**, he **may not bring him the produce** since the produce is bound by **ראובן's תחום**.
 - If **שמעון** eats at **ראובן's house**, he **may not take home leftover food** unless **ראובן** transferred the ownership of the food to **שמעון** before **יום טוב**.
- One **may not slaughter** an **animal which roams around and sleeps outside of the city's תחום**, since it's **מוקצה**.

The aim of **Time4Torah** is to facilitate Torah learning opportunities for people of all ages globally. The focus is on covering significant ground whilst still setting time for constant revision, in order to retain the material.

The **Time4Mishna** program involves learning 4 משניות a day, Sunday through to Thursday. Friday is reserved for חזרה of that week's material and Shabbos is set aside for reviewing previous מסכתות.

Participants receive a 15 minute shiur of the 4 משניות daily, and written חזרה material at the end of each week.

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